

JAMES C. JONES

UNITED STATES DISTRICT COURT 03 DEC - 1 PM 3: 15  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

U.S. PAT.  
10TH  
WEST 01

Karen N. Miller, et al. ....

Case No. C-1-00-403

## Plaintiffs

District Judge Susan Dlott

Credit Counselors of Cincinnati

District Judge Susan L.

**Defendant**

**AFFIDAVIT OF VIRGINIA CONLAN WHITMAN VERIFYING COMPLIANCE WITH  
NOTIFICATION OF SETTLEMENT**

**STATE OF OHIO** )  
 )  
**COUNTY OF HAMILTON** )

Now comes Virginia Conlan Whitman, who does hereby swear and state as follows:

1. I am an attorney licensed to practice law in the state of Ohio, and in the United States District Court for the Southern District of Ohio.
2. By Order dated July 8, 2003, I was appointed as Special Master in the above captioned action, charged with the duties concerning notice to the Class Members and distribution of the settlement fund after final approval (Doc. 61).
3. In accordance with the Court's July 8, 2003 Order, and as further set forth in the Plan for Notice and Settlement referred to therein, I caused a mailing of the Notice of Class Action and Proposed Settlement, as well as a Proof of Claim, to all Class members originally identified, within forty-five days of this Court's July 8, 2003 Order. Attached hereto as Exhibit A is a copy of a letter from a representative of Ashton Inc., the business entity that effectuated the mailing.
4. Thereafter, it was discovered that the original list of Class Members provided to me was not complete, and after obtaining a complete list from Defendant, I caused a second mailing of the Notice of Class Action and Proposed Settlement, as well as a Proof of

Claim, to all Class members subsequently identified within fifteen days of this Court's Order of October 15, 2003, granting Plaintiffs' Motion to Vacate Current Schedule and for New Scheduling Order. Attached hereto as Exhibit B is a copy of a letter from a representative of Ashton Inc., the business entity that effectuated the second mailing.

5. In accordance with the Court's July 8, 2003 Order, and as further set forth in the Plan for Notice and Settlement referred to therein, I caused a Summary notice of Class Action and Proposed Settlement to be published in the Cincinnati Enquirer within fourteen days after the first Notice was mailed to Class Members. Attached hereto as Exhibit C is a copy of the verification of publication received from the Cincinnati Enquirer.

**FURTHER AFFIANT SAYETH NOT.**

Virginia Conlan Whitman

Virginia Conlan Whitman

Dated: November 21, 2003

Subscribed and sworn to before me this 21<sup>st</sup> day of November, 2003

Rhonda S. Henegar  
Notary Public

**RHONDA S. HENEGAR**  
Notary Public, State of Ohio  
My Commission Expires July 22, 2007